

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 26, 2004. At the time of the Office Action, Claims 1-35 were pending. In order to advance prosecution of this case, Applicants amend Claims 1, 4, 12, 15, 23, 26, 34, and 35. Applicants add new Claim 36. Applicants respectfully request reconsideration and favorable action in this case.

Section 112 Rejections

The Office Action rejects Claim 35 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 35 has been amended to provide proper antecedent basis for the term "sequence of pointers."

Section 102 Rejections

The Office Action rejected Claims 1-8, 12-19, 23-30, 34, and 35 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,195,680 issued to Goldszmidt et al., ("*Goldszmidt*"). Applicants respectfully traverse these rejections for the reasons stated below.

Claim 1 is directed to a method for maintaining Voice Over Internet Protocol (VoIP) custom services including homing a terminal unit to a call manager and providing telephone services to the terminal unit through the call manager. A first pointer is provided to the terminal unit directing the terminal unit to access a menu of web-based services available to the terminal unit on a first Internet server associated with the call manager. The menu of web-based services includes links to content servers operable to provide web-based services to the terminal unit. A backup pointer is provided to the terminal unit directing the terminal unit to access the menu of web-based services available to the terminal unit on a corresponding backup Internet server. The first Internet server is accessed through the first pointer, and upon system failure, the backup Internet server is automatically accessed through the backup pointer. Claims 12 and 23 recite similar elements.

Goldszmidt discloses a client receiving a multimedia stream from a first server, and upon detecting a failure or overload, sending a switch request to a control server to select an alternate server to provide the multimedia stream. *See Goldszmidt*, column 3, lines 27-55. The cited portions of *Goldszmidt* do not disclose, teach, or suggest a call manager operable to provide telephone services to a terminal unit and to provide the terminal unit with pointers. *Goldszmidt* also does not disclose, teach, or suggest providing the terminal unit first and second pointers directing a terminal unit to access a menu of web-based services available to the terminal unit on a first Internet server and a backup Internet server, respectively. Further, the cited portions of *Goldszmidt* do not disclose, teach, or suggest the menu of web-based services including links to content servers operable to provide web-based services to the terminal unit. For at least these reasons, Applicants respectfully submit that Claims 1, 12 and 23 are patentably distinguishable from *Goldszmidt*, and request that the rejections of Claims 1, 12 and 23 be withdrawn.

Claims 2-8 depend from, and incorporate all the elements of, independent Claim 1. Claims 13-19 depend from, and incorporate all the elements of, independent Claim 12. Claims 24-30 depend from, and incorporate all the elements of, independent Claim 23. Therefore, Applicants respectfully submit that Claims 2-8, 13-19 and 24-30 are patentably distinguishable from the cited art, for example, for the same reasons discussed above with regard to Claims 1, 12 and 23.

Claim 34 contains elements directed to providing a plurality of call managers, each including an Internet server for providing a menu of web-based services for a number of telephony devices. The call managers provide telephone services to the telephony devices. The menu of web-based services includes links to content servers operable to provide web-based services to the telephony devices. As discussed above with regard to Claims 1, 12 and 23, the cited portions of *Goldszmidt* do not disclose each of these limitations. For at least these reasons, Applicants respectfully submit that Claim 34 is patentably distinguishable from *Goldszmidt*, and request that the rejection of Claim 34 be withdrawn.

Claim 35 depends from, and incorporates all the elements of, independent Claim 34. Therefore, Applicants respectfully submit that Claim 35 is patentably

distinguishable from the cited art, for example, for the same reasons discussed above with regard to Claim 34.

Section 103 Rejections

The Office Action rejected Claims 9-11, 20-22 and 31-33 under 35 U.S.C. § 103(a) as being unpatentable over *Goldszmidt* in view of U.S. Patent Application Publication No. 2003/0103489 issued to Dezonno et al., ("*Dezonno*"). Applicants respectfully traverse these rejections for the reasons stated below.

Claims 9-11 depend from, and incorporate all the elements of, independent Claim 1. Claims 20-22 depend from, and incorporate all the elements of, independent Claim 12. Claims 31-33 depend from, and incorporate all the elements of, independent Claim 23. As discussed above regarding Claims 1, 12, and 23, the cited portions of *Goldszmidt* do not disclose, teach, or suggest each element of Claims 1, 12 and 23. The cited portions of *Dezonno* also do not disclose, teach, or suggest each of these elements. For at least these reasons, Applicants respectfully submit that Claims 9-11, 20-22, and 31-33 are patentably distinguishable from *Goldszmidt* and *Dezonno*, and request that the rejection of Claims 9-11, 20-22, and 31-33 be withdrawn.

New Claims

Applicants have amended the Application to add new Claim 36. Applicants respectfully contend that Claim 36 of the present Application is fully supported by the specification of the present Application as originally filed. Applicants also respectfully submit that new Claim 36 is patentably distinguishable from the references cited by the Office Action.

Claim 36 depends from, and incorporates all the elements of, independent Claim 1. Therefore, Applicants respectfully submit that Claim 36 is patentably distinguishable from the cited art, for example, for the same reasons discussed above with regard to Claim 1.

Furthermore, Claim 36 recites additional elements not disclosed, taught, or suggested by the cited art. Specifically Claim 36 recites the web-based services including:


conference call scheduling and hosting, quoting stock prices, creating and updating calendar entries, and enabling extension mobility. For at least these additional reasons, Claim 36 is believed to be patentably distinguishable from the cited art.

Conclusions

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

A check in the amount of \$50.00 is enclosed to cover the fee for an additional claim. No other fees are believed to be due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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Date: January 26, 2005

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Attorney Docket Number: 062891.0642